Appendix 1

Lead Local Flood Authority Sustainable Urban Drainage System Guidance Including Technical Guidance for Planning Applications and Condition Discharge Applications

Contents

DISCLAIMER

Medway Council, as far as it can ascertain, acknowledges that this technical guidance document is suitable for the purposes set out in in the National Planning Policy Framework and accompanying guidance with respect to the management of surface water.

Drainage systems and mitigation measures to prevent flooding and pollution are the sole responsibility of the applicant and Medway Council cannot accept any responsibility for any omission

or error contained in any such plan, or for any loss, damage or inconvenience, which may result from such plan's implementation.

The guidance will be reviewed on a regular basis – (at least every three years) or when information changes that requires it to be amended – to ensure that the guidance is consistent with good practice and use the latest available information.

Background and scope

The following document aims to provide detailed guidance for the Sustainable Urban Drainage Systems (SuDS) requirements for panning applications and guidance for planning submissions requiring Lead Local Flood Authority (LLFA) input, including major outline, full and reserved matters applications and standard conditions. Guidance is also included for minor applications where LLFA input is required.

The document will describe the importance of SuDs, and the required supporting technical information expected at each planning stage, drawing from the latest local and national advice as well as up to date research and best practice industry guidance.

The guidance has been produced to ensure planning applications requiring LLFA input within Medway achieve a consistent standard. The guidance should help to inform exactly what is required, which can improve lead times on responses as well as reducing the need for additional/further submissions.

This document complements the guidance contained within our latest Strategic Flood Risk Assessment and will be periodically updated to reflect changes in national and local guidance and legislation.

LLFA Statutory Consultee Role

Medway Council is the Lead Local Flood Authority (LLFA) responsible for the management of Local Flood Risk from Surface Water, Ordinary Watercourses and Groundwater. The Flood and Water Management Act 2010 places responsibility upon the Local Authorities to develop, maintain, apply and monitor strategies for flood risk within its regions.

The role of statutory consultee is defined through the Town and Country Planning Act 1990; Town and Country Planning (Development Management Procedure) (England) Order 2015; and Planning and Compulsory Purchase Act 2004. Medway Council Lead Local Flood Authority are statutory consultees in the planning process relating to flood risk from, tidal, pluvial and groundwater elements, as well as the provision of new drainage elements or alterations to existing drainage systems are considered and approved.

Medway Council LLFA has a duty and responsibility to aid in dealing with events and achieving sustainability across the region. To achieve this the LLFA are statutory consultee on Major Planning Applications, or applications that are located within areas at high risk of flooding, from both surface water and tidal influences.

The advice sets out the requirements that the LLFA has for drainage strategies and surface water management provisions associated with development. In addition to this Sustainable Drainage Systems (SuDs) are required on all major planning applications in England as laid out by the NPPF.

This document seeks to provide guidance of the requirements of SuDs and provides suggestions on potential options. The LLFA would suggest that all major planning applications or applications which fall within complex areas such as at risk of surface flooding or in areas at risk of groundwater flooding should engage in pre-application discussions with the LLFA to determine the most suitable options for the site.

The Council seeks to reduce the flood risk in all forms. It is important to understand that each person has a responsibility to ensure that the risk of flooding to their properties or land is fully understood. Although Flood Risk Management Authorities have an overarching responsibility for the management of different sources of flooding, individual property owners, landowners, businesses, and communities each have a responsibility to take measures to protect their properties from flooding.

Major development is classified as development involving any one or more of the following.

(a) the winning and working of minerals or the use of land for mineral-working deposits.

(b) waste development.

(c) the provision of dwellinghouses where—

I. the number of dwellinghouses to be provided is 10 or more; or
II. the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i).

(d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more: or

(e) development carried out on a site having an area of 1 hectare or more.

Statutory consultees have a duty to respond to statutory consultations within 21 days in accordance with Article 22 of the Development Management Order. The 21-day period does not begin until the statutory consultee in question has such information to enable a substantive response.

Policies and Legislation

Medway Council have laid out the overall vision and flood risk matters within the region within the Local Flood Risk Management Strategy (2024). This document highlights the relevant policies relating to flood risk, however there are a number of policies that relate to the inclusion of SuDs within development, and these are as follows:

Legislation	Relevance
	National Policy
The Pitt Review 2008	In 2008, Sir Michael Pitt published a report entitled 'Learning Lessons from the 2007 Floods'. This report outlined the need for changes in the way the UK is adapting to the increased risk of flooding. This report highlighted 92 recommendations on the existing flood management situation and included details on how Risk Management Authorities should be more proactive in preparing for future flood events.
Flood and Water Management Act (2010)	The Flood & Water Management Act (FWMA) makes provision for better, more sustainable management of flood risk and establishes strategic responsibility in managing flood risk. The FWMA establishes the role of the Council as a Lead Local Flood Authority (LLFA) and sets out a range of powers and responsibilities for the LLFA (and others), such as the duty of all flood risk management authorities to cooperate and provide Lead Local Flood Authorities (LLFA) and the Environment Agency with a power to request information required in connection with their flood risk management functions. Section 9 of the FWMA requires LLFAs to develop, maintain, apply, and monitor a strategy for local flood risk management in its area. This is the basis for the Local Strategy
National Planning Policy Framework (2012) (Updated in 2021)	The NPPF was created by the Department for Communities and Local Government (DCLG) and outlines the government policies on the most suitable type of development. This document considers many issues and includes details on sustainability, climate change and flood risk. NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at the highest risk (whether existing or future). It is recognised that this is not always possible especially as large areas of Medway are located within Flood Zones 2 and 3. To address this the NPPF sets out how to approach decisions about development in high flood-risk areas and reduce the risk of flooding as much as is reasonably possible. Strategic policies should be informed by a strategic flood risk assessment and should manage flood risk from all sources.
The National Planning Policy Guidance (2014) (Amended in 2024)	The NPPG contains Flood Risk and Coastal Change information which can aid the progress of planning applications which seek to reduce the effects of flood risk and climate change. Additionally, these documents provide

	support for the sustainable drainage systems to be included on every major planning application.
The Environment Act 2021	The Environment Act seeks to protect and enhance the future environment. The Environment Bill puts in place measures to tackle storm overflows and the adverse impact on the environment. This seeks to ensure collaboration between partners and water companies to ensure that infrastructure is suitable for decades to come. This allows for monitoring, compensation, creation of new facilities and amendments to existing facilities where required.
Non-Statutory Technical Standards for Sustainable Drainage Systems (Updated 2025)	Provides the basic principles of sustainable drainage focusing on water quality.
National Flood and Coastal Erosion Risk Management Strategy (2020)	The strategy describes the requirements of all Risk Management Authorities involved in flood risk. The Strategy seeks to better manage the risks and consequences of flooding from: rivers, the sea, reservoirs, ordinary watercourses, sewers, groundwater and surface water. Importantly, the Strategy recommends the use of SuDS on development sites to manage surface water flood risk. The Strategy sets out a vision for a nation ready for, and resilient to, flooding and coastal change today, tomorrow and to the year 2100.
	Local Policy
Strategic Flood Risk Assessment	Medway Council have produced an updated Strategic Flood Risk Assessment (SFRA) to support the Local Plan, which complements this guidance. The SFRA defines occasions where a Surface Water Management Strategy and or Sustainable Drainage (SuDs) proforma should be submitted and identifies circumstances whereby the LLFA may request additional information or make representations on non-major planning applications where there is a need to consider drainage and surface water issues. Medway Council require all developers to submit a detailed Surface Water Management Strategy (SWMS) for major developments. A SuDs proforma should be completed alongside, which summarised the relevant sections of the SWMS. The SFRA identifies 'Sensitive Drainage Areas' (SDA's) to determine areas known to the be sensitive or at risk whereby additional information is required. These areas have been identified using. Medway Preliminary Flood Risk Assessment (this assessment identifies 'nationally significant' Flood Risk Areas). Surface Water Management Plans (Plans containing assessment of the risk of surface water flooding and options to manage risk to an acceptable level). Catchment areas. Historic flood incident mapping.

	Geological and topographical maps. A map of the Sensitive Drainage Areas is included at Appendix A.7 of the SFRA 2020. If a minor development proposal, including minor proposals positioned within 5m of a watercourse, is shown be to be located within an SDA, the LLFA may make a representation and request that a SuDs Proforma is submitted which outlines the method of surface water management, to ensure that risks to and from the site are appropriately managed. Further information is available in Section 5 of the SFRA 'Management of Surface Water Runoff' and Appendix A.6 of the SFRA.
Climate Emergency	Medway Council declared a climate emergency in April 2019 and seeks to reduce the carbon output of not only the Council but all residents within the Authority. Any new development should ensure that they are achieving a net-zero carbon plan.

What are Sustainable Drainage Systems

When rain falls on greenfield sites, several processes may happen. The water may be intercepted by vegetation, evaporate, infiltrate into the ground, or flow overland to enter water bodies. However, the response of these sites is significantly modified when they are developed. When development introduces impermeable surfaces, this can lead to the increase in the run of rates of surface water and therefore development run off should be limited where practicable to the greenfield runoff rate. Modelling of each development site is important to ensure that that storm water management is priority in developments.

For many years, surface water runoff has been handled through connecting to the surface water piped network, which in Medway is owned by Southern Water, South East Water or the Highways Authority. Although these systems have been designed to deal with water for a 30-year design storm in many cases, the level of required development within Medway cannot entirely be sustained through connections to the existing surface water system due to the increased risk of localised flooding. There are many different issues with the existing system, that are being addressed by water companies, however new development can increase issues if they are not addressed during the application stage.

To address the challenges new sustainable approaches are needed which seek to mimic natural processes, manage runoff sustainably and enhance the environment to reduce flood risk. This could be through individual elements or through a combination of SuDs components.

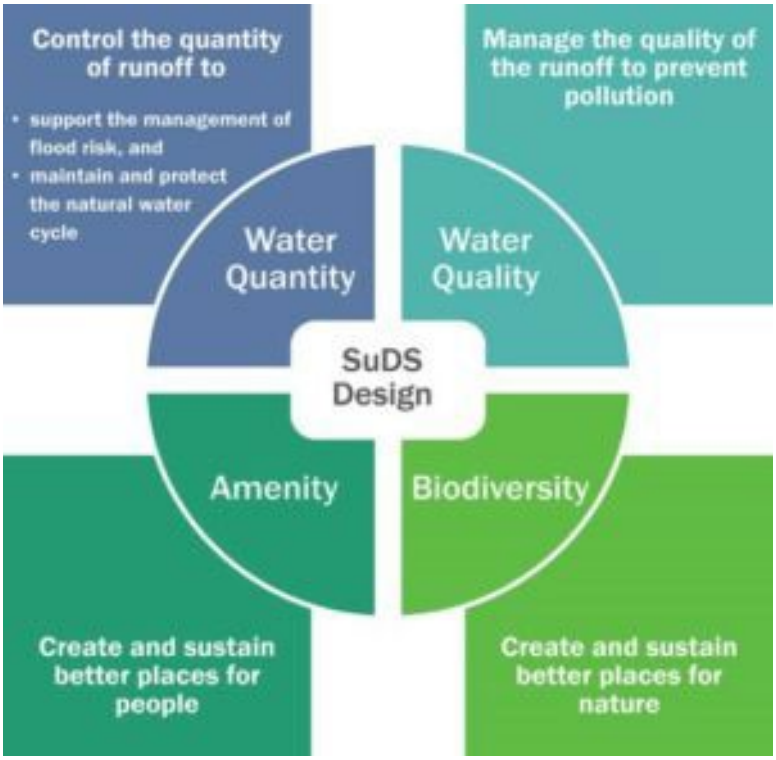
Sustainable Drainage System Requirements

Although SuDs are not mandator on development they are currently recommended on all applications. Major Developments must provide SuDs on site to be able to deal with surface water at source where applicable.

Paragraph 80 of National Planning Policy Guidance Flood and Coastal Change presents a hierarchy of drainage options to follow with the aim being to discharge surface runoff as high up the hierarchy as possible. This is also reiterated within Part H of the Building Regulations. The options are:

1. Into the ground.
2. To a surface body.
3. To a surface water sewer, highway drain, or another drainage system.
4. To a combined sewer.

Medway Council accept a range of solutions for site providing that a betterment can be offered, this should include the provision of the SUDS management train. A management train should be used on all SUDS features to be able to treat runoff from development, this should ensure that water quality meets the requirements of the Hazard rating index and mitigation indices as highlighted within the CIRIA Suds Document. The SUDS management train is shown within the below figure.



The LLFA requires that surface water drainage strategies assess water quality aspects according to the following approach:

- Prevention: Implement good housekeeping and site design practices to manage and reduce surface water runoff and pollution.
- Source Control: Manage rainfall in above-ground SuDS components as close as possible to where it falls.

- Site Control: Handle residual flows from source control components in larger above-ground SuDS components.
- Regional Control: Manage surface water runoff from multiple sites downstream in large above-ground SuDS components.

SuDs Requirements on site

Each site should be assessed on an individual basis for the suitability of Sustainable Urban Drainage Systems. A checklist is included at Appendix 1 and should be submitted with any application.

Surface Water management Hierarchy

The National Planning Policy Guidance: Flood and Coastal Change states that when considering major development, sustainable drainage systems should be provided unless demonstrated to be inappropriate.

A hierarchy of drainage options to follow with the aim being to discharge surface runoff as high up the hierarchy as possible is shown below. This is also reiterated within Part H of the Building Regulations. When water is not collected for any from or reuse, discharge of surface water should be as high up the hierarchy as possible. The options are:

1. Into the ground.
2. To a surface body.
3. To a surface water sewer, highway drain, or another drainage system.
4. To a combined sewer.

Evidence should be provided to discount any options which are more favourable for sustainable urban drainage systems. However, discharge to ground is an option via infiltration should be considered as priority were possible and practicable. For proposals where infiltration is considered acceptable specific site infiltrations testing should be completed in accordance with BRE 365, including geotechnical assessment. This testing should be completed in locations which are representative of location of final discharge locations.

In addition to this, when infiltration is considered acceptable groundwater monitoring is needed to ensure that there are no issues with infiltration which may affect the site. In many cases, a years' worth of monitoring should be submitted, however we recognise that this is not always possible and therefore we will consider sites on an individual basis.

Runoff rates

Runoff rates for the development should be based on the entire development site area, with the subtraction of areas that are considered large open space and will not be drained using any proposed Sustainable Urban Drainage System. These rates should be restricted to either Greenfield or Brown field depending on the current use, however proximity to outfall will be considered.

Greenfield relates to land which is considered previously undeveloped, and brownfield relates to previously developed land. For new development the proposed run-off rates should not exceed the Greenfield Runoff rates for the matching return period.

Long Term Storage, climate change

If infiltration is not used on development site when addressing surface water disposal then each development site should be implementing Long Term Storage in addition to the volume of storage required on site due to the increase of impermeable surfacing on developments.

This will ensure that there is sufficient storage and discharge of surface water at an acceptable rate by not exceeding the Qbar (1 litres per second per hectare).

In addition to this climate change allowances should be factored into each site. The Environment Agency released their most recent guidance in May 2022, which provides the evidence base of the expected climate change allowance. For Medway, our central allowance is 20% for both the 2050 and 2070 epoch however for the upper limit the allowance should be 45% for the 2050 and 40% for the 2070s.

Water quality

As highlighted above, in line with the four pillars of SuDS all run off from the development site should meet the requirements set out within the SuDS Manual (C753). This document aims to ensure that there will be no impact on the four pillars, in this case water quality, following the development. Reference in all applications should be given to figures 26.2 and 26.3 of the CIRIA Guidance. In addition to this regard should be given to the Critical Drainage Areas within the region.

Types of Suds acceptable

The following types for SuDS could be considered for any development within Medway. These will be assessed on a site-by-site basis.

SuDs Type	Supporting information
Bio-Retention Strips	Bioretention strips are vegetated areas with sand and gravel layers that manage rainwater runoff. They allow water to either infiltrate into the ground or be diverted through pipes, reducing peak runoff rates and mitigating flood risks. These strips also filter and cleanse the runoff, removing pollutants, nutrients, metals, suspended solids, and bacteria, thereby improving the quality of the stored water.
Detention Basin	Detention basins are typically dry grassy areas that store rainwater and surface runoff during storms, allowing it to slowly infiltrate into the ground to reduce flooding risks. They filter out sediment and pollutants, improving water quality. These basins can also serve as sustainable drainage systems and recreational areas, supporting wildlife and increasing biodiversity when wet, and providing safe spaces for leisure activities and educational purposes when dry.
Retention Basin	Retention ponds are shallow water areas designed to store rainwater and control runoff rates during and after rainfall events. Unlike detention basins, they hold water permanently, with water levels rising temporarily during heavy rainfall to accommodate additional water.
Green Roof	Green roofs, or 'living roofs', are covered with vegetation and consist of multiple layers, including an impermeable layer, a drainage layer, and a layer of plants. They intercept and store rainwater, reducing runoff and flood risk. Green roofs are typically low maintenance and can replace traditional roofs on buildings like garages or bus shelters.
Permeable Paving	Permeable paving allows surface water runoff to infiltrate the ground, managing flood risk. It uses gaps between paving stones or porous materials to let water through. Alternatives like wood chippings or recycled aggregates achieve the same effect. Water infiltrates through the soil or into a storage tank beneath the paving for slow release.

Rain Garden and Tree Pits	Rain gardens are small, shallow vegetated depressions that can hold water for up to 48 hours. They receive runoff from impermeable surfaces like roofs, driveways, and roads, redirecting it from sewers. These gardens allow runoff to infiltrate the soil, reducing runoff rates and surface water volumes while filtering out pollutants and sediments to improve water quality.
Rainwater Harvesting	Rainwater harvesting involves collecting and storing rainwater that would otherwise flow into drains and sewers. This collected water can be reused for irrigation, toilet flushing, and gardening. Water butts are a common and easily retrofitted option, connecting to a building's downpipe to collect roof runoff. When full, excess water overflows back into the drainage system. A tap at the bottom allows for easy access to the stored water.
Swales	Swales are shallow, broad vegetated channels that temporarily store, infiltrate, and convey stormwater runoff, reducing peak flows in watercourses and drainage systems. They can be 'wet' with above-ground water storage or 'dry' with water collecting in a pipe or gravel layer beneath. Rainwater flows into the swale, infiltrating through vegetation that filters sediment and pollutants, with some runoff lost through evapotranspiration.
Wetlands	Wetlands are shallow, marshy areas with aquatic vegetation that slow and filter rainwater runoff, improving water quality before it enters local watercourses. They remove fine sediments, dissolved nutrients, metals, and particulates through vegetation filtration and aerobic decomposition.

Submission requirements

The following section outlines LLFA requirements with respect to the type of planning application. The level of assessment considered will be dependent on the nature and scale of the development. The 'overview' section includes a number of aspects that should be considered at all planning application stages and should be cross referenced with the SFRA.

Overview

It is strongly recommended that pre application advice is sought from the Council's Planning Service. This will automatically include advice from the LLFA. Further information is available on our website.

Broadly, any scheme should be designed in accordance with the National Non-Statutory Standards for Sustainable drainage (NNSSS), 1however, more site-specific advice can be sought which may result in a departure from the standards where this is supported by local evidence (such as Surface Water Management Plan outputs, and flood incident data).

The LLFA, in collaboration with other LLFA's in the South East region, have produced a guide for master planning sustainable drainage into large and small developments. The consideration of sustainable drainage early in the design process allows for consideration of how drainage issues may impact site layout and provides opportunity to maximise wider planning objectives and benefits.

Above ground SuDs (such as ponds and basins) should be designed to be multifunctional and contribute towards amenity provision and designed to aesthetically accord with landscaping and urban design and biodiversity planning objectives in order to add value to the development.

Medway Council will generally not adopt and/or maintain SuDS except where SuDs are used to mainly manage highways runoff, under a S38 Highways Adoption Agreement. The Council expects as part of any planning application that includes SuDS, that information is provided to demonstrate that suitable adoption and maintenance arrangements are in place that can be secured long term.

Where sites are identified to be at risk of surface water flooding, the sequential approach should be applied which is outlined in the latest SFRA, whereby more vulnerable elements of the scheme are directed to areas of lowest risk and appropriate mitigation applied to ensure that the development can remain safe for its lifetime, consistent with the Exception Test outlined in NPPG: Flood and Coastal Change.

At a detailed design stage, the most up to date (for example, Flood Estimation Handbook) rainfall data should be used where appropriate, although it may be prudent to use Flood Studies Report (FSR) rainfall data to test a scheme under shorter duration events.2 Modelling outputs using industry appropriate software should be provided for the critical duration for a 2-year storm, a 30 year storm and a 1 in 100 year storm including the most up to date allowances for climate change.

The drainage scheme should typically be designed to manage runoff from the entire developable area rather than solely the impermeable areas unless the permeable areas drain directly to a watercourse. The reason for this is to ensure that runoff can be appropriately managed from

[1] Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems
[2] Section 24 of the CIRIA SuDs Manual details considerations with rainfall runoff methods.

permeable areas during intense and prolonged rainfall events where infiltration capacity may be exceeded. The approach will be site specific and consider the local geography and topography and should be agreed with the LLFA early in the design process.

Outline Planning Application

To ensure that an appropriate, workable scheme can be realised at Full Planning stage, it is imperative that a means of surface water management is established prior to the layout being developed to ensure that the proposals are feasible.

At minimum, the SWMS should include the following.

- Assessment of surface water flood risk at the site including an examination of overland flows.
- Indicative existing and post development runoff rates for 1, Qbar, 30- and 100-year storm events, including 1 in 100 year +40% climate change rate.
- An assessment and commitment to the most appropriate SuDs features based on opportunities and constraints from initial desk study.
- Assessment of attenuation requirement to manage runoff in the context of Long-Term Storage provision where required.
- Site Investigation to determine infiltration feasibility and geotechnical consideration. Where access to a site is not available, an alternative strategy can be presented alongside an infiltration option using best available information (for example, British Geological Society mapping). This should include the proposed locations and volumes of storage features, proposed discharge rates, and consideration of levels to ensure such features can be designed to achieve landscaping objectives.
- Information should be submitted to show why the selected route of discharge has been selected over options further up the hierarchy of drainage options, outlined in Paragraph 80 of the National Planning Policy Guidance Flood and Coastal Change.
- Where infiltration SuDs are proposed.
    i) Evidence supported by infiltration testing in accordance with BRE365.
    ii) If the site is located within a Groundwater Source Protection Zone (as defined by the Environment Agency, the risk of contaminating groundwater and control measures required to mitigate this should be considered.
    iii) Assessment of geotechnical risks which may preclude infiltration measures.
- Consideration of how open space provision can be combined within the surface water proposals and landscaping objectives without detriment to the open space provision.

Full Planning Application

A full planning application should present a favoured strategy taking account of the results of a full Site Investigation, as well as the following.

- Detailed site layout.
- Topographical survey of the site including contours, with a demonstrated understanding of how surface water would flow across the site pre, and post development supported by modelling where necessary.

- A statement on how the proposed strategy contributes towards wider planning objectives including water quality, landscaping, biodiversity, amenity, and public open space.
- An assessment of water quality requirements using industry best practice guidance contained within CIRIA SuDs Manual.
- Layout plan of the proposed drainage scheme including dimensions, storage volumes, pipe sizes, cover and inlet levels, gradients, proposed discharge rates (where applicable) and flow control features.
- Consideration of how exceedance flows will be managed and mitigated on site without significantly increasing flood risks (both onsite and offsite). This should be supported by a site plan illustrating the post development site, and indicative flow paths including depths/extents and indicative flow paths.
- Such areas should avoid access and entrance areas. Where this is not possible, an assessment of flood hazard in the context of safe access and egress should be undertaken with reference to the Flood Risk Assessment for New Development Guidance
- Details of any offsite works required, together with necessary consents where relevant.
- A site-specific maintenance and management plan for the unadopted parts of the drainage system

Planning Application with no change in building footprint

Applications for conversions or refurbishments with no change in building footprint or hardstanding area, should be supported by a drainage statement containing the following as minimum.

a) An assessment of surface water risk at the site.
b) A rationale for incorporating SuDs on site with the drainage hierarchy (NPPF and Building Regs). Where SuDs are not deemed suitable or feasible, justification should be provided.
c) When considering infiltration SuDs, this should be supported by a Site Investigation and infiltration test in accordance with BRE 365.
d) A site layout plan showing indicative layouts and sizing (dimensions and volumes) of SuDs proposed any connection and discharge locations and an indicative pipe layout.
e) Consideration of SuDs and property level protection retrofit and betterment opportunities to improve current on site drainage, particularly within areas identified at risk.

Planning Application with change in building footprint

Applications for conversions or refurbishments including a change in building footprint should include the following as minimum in addition to the above.

a) Calculations of.
   I. Change in impermeable areas between the current and proposed site.
   II. Existing and proposed Greenfield Runoff Rates for a range of storms up to and including the 1 in 100 year + 40% climate change events.
b) A scheme to demonstrate that the proposals can meet the Greenfield Runoff Rate for Brownfield sites as detailed in the NNSTSS. If this is not possible a detailed justification will be required.
c) An assessment of water quality needs and considered improvements in terms of environmental and social benefits.

LLFA planning conditions

Medway LLFA will seek to minimise the number of conditions recommended whilst ensuring the opportunity to submit the required information early on in the planning process.

A number of standard conditions are used which seek to ensure that the appropriate information is submitted at the appropriate stage where this has not been provided at planning application stage. The following section outlines the typical standard planning conditions that may be added to achieve that.

Standard drainage condition

The following condition is usually applied to Outline Planning Applications to allow submission of further detail at a Full or Reserved Matters stage. This condition may also be added where sufficient information has been submitted at Full Planning Stage to demonstrate a workable scheme, but where certain detailed elements are not known at that point (for example, the long-term maintenance options or phasing or phased implementation).

Condition: No development shall take place until a scheme based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

Those details shall include (where applicable):

i. *Details of the design of the scheme in conjunction with the landscaping plan.*
ii. *A timetable for its implementation (including phased implementation).*
iii. *Operational maintenance and management plan including access requirements for each sustainable drainage component.*
iv. *Proposed arrangements for future adoption by any public body, statutory undertaker or management company.*

The development shall be undertaken in accordance with the agreed details.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 165 of NPPF.

Note that there is a request that the drainage scheme is submitted alongside landscaping plans where applicable, to ensure that the plans are congruent.

Details of phased implementation should be submitted, demonstrating the appropriate management of surface water through the construction process, including details of any temporary drainage. This should accord with details submitted as part of a condition discharge application relating to the submission of a Construction Surface Water Management Plan where this is requested.

Where the proposed arrangements for future adoption and maintenance via statutory undertaker or management company are not available, only a partial condition discharge can be offered. Outstanding information should accompany the verification report condition discharge application where applicable.

Verification Report condition

With increasing development across Medway, and with SuDs now a material consideration as part of a planning permission for a major development, it is important to ensure that SuDs are adequately designed and recorded.

There are occasions where site conditions require a subtle departure from an agreed drainage strategy, in which case the council will need to be aware of any changes and how this impacts the pre-approved drainage scheme design.

Further, Section 21 of the Flood and Water Management Act 2010 requires a lead local flood authority (LLFA) to:

- establish and maintain a register of structures or features, which in the opinion of the authority, are likely to have a significant effect on a flood risk in its area and.
- establish and maintain a record of information about each of those structures or features including information about ownership and state of repair.

Medway Council are therefore requesting a verification report to be submitted, post construction to:

a) Confirm that the drainage scheme has been constructed in accordance with the approved design,
b) Confirm any changes to the design which divert from the approved design.
c) Submit details of the critical components of the drainage scheme, for addition to the LLFA Asset Register.

In order to discharge this condition, a Verification Report should be submitted detailing the as built drainage system, its compliance and any departure from the agreed design, as built drawings, materials test results, the results of any performance re-testing and any surface water simulation re-runs where required.

The Verification Report should be prepared by a suitably qualified and competent person. The individual or company should have suitable professional indemnity insurance and will normally be independent of the developer/contractor/subcontractor to ensure there is no conflict of interest.

The verification report should be accompanied by a list of critical components3 including details of the location, material, size (depths, diameters) levels volume, discharge rates and details of the Service Management Company (if not priorly provided) for addition to the Medway Council Asset Register.

Medway Council will expect details of the individual or maintenance company submitted as part of the discharge of this condition if they have not already been submitted as part of a maintenance plan at an earlier stage.

Condition: Prior to occupation (or within an agreed implementation schedule) a signed verification report carried out by a qualified drainage engineer (or equivalent) must be submitted to and approved by the Local Planning Authority to confirm that the agreed surface water system has been constructed as per the agreed scheme and plans. The report shall include:

[3] *Critical Component – A component of the drainage network whereby failure would result in flooding (Includes all SuDS features, Outlets and Manholes with flooding under a 100-year event)

I. *details and locations of critical drainage infrastructure (such as inlets, outlets and control structures) including as built drawings.*
II. *An operation and maintenance manual for the unadopted parts of the scheme as constructed.*
III. *Proposed arrangements for future adoption by any public body, statutory undertaker or management company (where not previously provided).*

Reason: This condition is sought in accordance with paragraph 165 of the NPPF to ensure that suitable surface water drainage scheme is designed and fully implemented as agreed so as to not increase flood risk onsite or elsewhere.

Flood resilience condition

Where a proposal is situated within an area considered to be at risk of surface water flooding, the development should be sequentially designed in order to avoid areas at high and medium risk. It is accepted that the low surface water flood risk outline is associated with more uncertainty so development within these areas may be possible subject to the use of flood resilience and resistance measures.

Where residential development is proposed to be located within those areas, and where it can be demonstrated that this will not be detrimental to the local hydrology the use of flood resilience and resistance measures should be considered in order to safeguard for the lifetime of the development.

Such measures may include the use of land raising where it can be appropriate from a flood risk and planning perspective, and, or the use of measures such as solid floor construction, raised sockets and utilities and impermeable materials. More information can be found in ‘Improving the Flood Performance of New Buildings, Flood Resilient Construction’.

Construction Surface Water Management Plan (CSWMP) condition

A Construction Surface Water Management Plan (CSWMP) is required for most major developments to ensure that the risks of flooding and need for drainage are considered and managed throughout the construction phase in order to reduce the risks of flooding and pollution of the water environment arising from construction activities.

This condition will be added where the proposals will result in significant construction activity. The plan is similar in nature to a Construction Environmental Management Plan (CEMP) but with focus on the management of surface water during construction, to avoid, minimise, and mitigate construction effects on the water environment by.

- Preventing contamination of the water environment by chemicals and silt.
- Managing rainfall and runoff during construction to ensure that flood risks are not increased on or off site.
- Monitoring runoff during the construction phase to ensure the success of mitigative actions.

The plan should take account of any phased approach for the development where applicable. The condition is a pre-commencement condition and should be discharged prior to any construction related activities occurring on the site.

The following section is intended to signpost developers and contractors to industry best practice guidance and to provide an example template for the completion of a plan. The measures identified should inform and accompany Risk Assessments and Method Statements (RAMS), identifying the perceived risks to the aquatic environment, the potential pollution pathways, and the mitigation measures to be employed.

The plan should therefore include the following.

- Site details including location.
- Roles and responsibilities
- Phasing of construction and drainage where applicable.
- Details of any temporary drainage system.
- Flood risk controls for severe weather events.
- Pollution, water quality and emergency pollution control measures (including silt management)
- Construction site plan including compounds, material storage areas and temporary site parking
- Details of proposed site excavations and details of areas to be used for the storage of substrate and soil.
- Detailed plan demonstrating a suitable buffer between location of refuelling, storage of oil and fuel, concrete mixing and washing areas (at least 10m away from any watercourse).
- Risk and Method Statement
- Required consents (e.g., Land Drainage Consent, Environmental Permit).

This list is not exhaustive and should be used as a starting point for considerations to be made. The condition has been devised to assist developers and contractors to ensure they meet legislative requirements and best practice guidance throughout the construction phase.

The LLFA will make recommendations based on the submissions but are unable to comment on the success of the scheme in practice and are therefore not in a position to take responsibility relating to any failure of the system which results in flooding or a pollution incident.

An example template is included at Appendix 3.

Appendix 1: SuDS Standards 2025 Compliance Checklist

Standard 1: Runoff Destination

- ☐ Have you followed the runoff hierarchy (reuse → infiltration → watercourse → surface water sewer → combined sewer)?
- ☐ Is justification provided for not using higher-priority destinations?
- ☐ Are exceedance routes mapped and safe?

Standard 2: Everyday Rainfall Management

- ☐ Is the first 5mm of rainfall intercepted and retained on-site?
- ☐ Are infiltration or evapotranspiration methods used where feasible?
- ☐ Is water reuse considered (e.g., rainwater harvesting)?

Standard 3: Extreme Rainfall & Flooding

- ☐ Are flow rates and volumes controlled to greenfield or agreed rates?
- ☐ Is the system designed for 1 in 30 and 1 in 100-year events (+ climate change)?
- ☐ Are exceedance pathways and flood risk assessments included?

Standard 4: Water Quality

- ☐ Has a pollution risk assessment been completed?
- ☐ Are SuDS components selected to treat pollutants based on land use?
- ☐ Is treatment train (multiple stages) used where necessary?

Standard 5: Amenity

- ☐ Do SuDS contribute positively to public realm or site aesthetics?
- ☐ Are features accessible and safe for users?
- ☐ Is community engagement or feedback considered?

Standard 6: Biodiversity

- ☐ Are SuDS designed to support biodiversity net gain (BNG)?
- ☐ Do they align with Local Nature Recovery Strategies (LNRS)?
- ☐ Are native planting and habitat connectivity included?

Standard 7: Lifecycle Design

- ☐ Is there a maintenance plan with access and responsibilities defined?
- ☐ Are materials and structures durable for long-term use?
- ☐ Is decommissioning or adaptation considered?

Appendix 2: Verification Report template

Planning Reference	Reference Number
Date	Formatted Date
Site / Location	Site or Location
Developer Details Company and Contact Details	Company Name and Contact Details

*Critical Component – A component of the drainage network whereby failure would result in flooding (Includes all SuDS features, Outlets and Manholes with flooding under a 100-year event)

Critical Component*	Maintenance Company/Individual and Contact Details	Details E.g. Heights, Lengths, Diameters, Depths, Levels, Materials, Discharge Rates, Volume, Etc.	Changes from Agreed Plans	Northing/ Easting
Component				
Critical Component	Maintenance Company/Individual and Contact Details	Details E.g., Heights, Lengths, Diameters, Depths, Levels, Materials, Discharge Rates, Volume, Etc.	Changes from Agreed Plans	Northing/ Easting
Component				

Appendix 2: Example template for CSWMP submission.

Construction Surface Water Management Plan
Suggested Template

Site Name:
Contractor Name:
Reference Number:
Related Planning Application No:
Date:

Contents

1 Site details

Use this section to insert location, maps, and relevant planning references.

2 Roles and responsibilities

Use this section to identify the key roles and responsibilities for the scheme. This should include the relevant out of hours contact details for the Project Manager/Contractor as relevant in case there is a need for the council to contact the site management.

Role	Contact	Company Name	Contact no and email
Example Role			

3 Managing surface water during construction

This section should also confirm which of the following options you intend to use during the construction phase and supply details and include key information and plans referenced at Section 5 and should reference how drainage will be managed during construction via.

Option 1: Construct a new permanent surface water drainage system to utilise during construction phase.

Option 2: Install, use, and remove, a temporary surface water drainage system.

Option 3: Utilise existing system with pollution control measures

Item	Checklist ✓
Site details including location	
Roles and responsibilities	
Phasing of construction and drainage where applicable.	
Details of any temporary drainage system	
Identification of vulnerable receptors in vicinity of development site with reference to EA surface water flood risk maps.	
Flood risk controls for severe weather events.	
Pollution, water quality and emergency control pollution measures (including silt management).	
Construction site plan including compounds, material storage areas and temporary site parking.	
Details of proposed excavations and details of areas to be used for the storage of substrate and soil.	
Detailed plan demonstrating a suitable buffer between location of refuelling, storage of oil and fuel, concrete mixing and washing areas (at least 10 m from any watercourse).	
Risk and Method Statement.	
Required consents (e.g., Land Drainage Consent, Environmental Permit).	

4 Flood and Weather Alert

The Project/Construction Manager should up to the Environment Agency Flood Warning System if constructing a site within a tidal or river Flood Zone 2 or 3. The following table should be used to record actions necessary to be taken on receipt of a flood warning.

Definitions:

Flood Alert: Flooding is possible, be prepared.

Flood Warning: Flooding is expected, immediate action required.

Severe Flood Warning: Severe flooding, danger to life

Alert Level	Definition	Action	Responsibility
Flood Alert	Flooding is possible – be prepared		
Flood Warning	Flooding is expected – immediate action required		
Severe Flood Warning	Severe flooding, danger to life		

4.1 Weather Alerts (Surface Water Flood Risk)

Project/Construction Manager should sign up to the Met Office Weather Warning system to keep aware of any rain weather warnings which could impact site operations during construction.

Brief definitions of weather warnings are included below; more detailed description is available on the Met Office website.

Yellow: Be Aware

Yellow warnings are issued when it is likely that the weather will cause some low-level impacts.

Amber: Be Prepared

There is an increased likelihood of impacts from severe weather.

Red: Take Action

Dangerous weather is expected.

Alert Level	Action	Responsibility
Yellow: Be Aware		
Amber: Be Prepared		
Red: Take Action		

5 Legislation and guidance

The Water Environment (England and Wales) regulation 2009

Land Drainage Act 1991

SEPA Engineering in the Water Environment Good Practice Guide Temporary Construction Methods

Control of Water Pollution from Construction Sites – Guide to Good Practice (SP156)

Control of Water Pollution from Construction Sites – Guidance for Consultants and Contractors (C532)

Control of Water Pollution from Linear Construction Projects – Technical Guidance (C648)

Control of Water Pollution from Linear Construction Projects – Site Guide (C649)

Environmental Good Practice – Site Guide (C741)

The SuDs Manual (C753)

BS 8582 Code of Practice for surface water management for development sites

PPG5: Works in, near, or over watercourses, pollution prevention. Environment Agency (withdrawn).

6 Company/Contractor Accreditation (e.g., ISO) and Environmental Policies